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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JAMES P. MITCHELL

Appeal 2010-003968
Application 09/493,472
Technology Center 2400

Before ALLEN R. MacDONALD, ROBERT E. NAPPI, and
DENISE M. POTIER, *Administrative Patent Judges*.

MacDONALD, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF CASE

Introduction

Appellant appeals under 35 U.S.C. § 134 from a final rejection of claims 1-30. We have jurisdiction under 35 U.S.C. § 6(b).

Exemplary Claim(s)

Exemplary independent claim 1 under appeal reads as follows (emphasis added):

1. A communication system for a mobile platform, the mobile platform being stationary at a docking area, the communication system comprising:
 - a server located in the docking area and comprising a wireless docking area transceiver, a first satellite receiver, and a first storage unit, the server being configured to store order wire data received by the first satellite receiver, and to store video data received by the first satellite receiver in the storage unit in response to the order wire data;
 - a second satellite receiver located on the mobile platform;
 - a wireless platform transceiver on the mobile platform receiving the order wire data and the video data from the wireless docking area transceiver while the mobile platform is at the docking area; and
 - a second storage unit, the second storage unit being located on the mobile platform, wherein the second storage unit stores the video data for playback in the mobile platform and the second storage unit storing the order wire data, *the order wire data controls a source of video for playback of a program* being either video data in the second storage unit or the second satellite receiver, or both the second storage unit and the second satellite receiver.

Appellant's Contention

1. Appellant contends that the Examiner erred in rejecting independent claims 1 and 13 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Leuca (US 6,201,797 B1) and Podowski (US 5,524,272) because:

Leuca and Podowski, alone or in any proper combination, fail to disclose at least seven features recited in Claim 1 and related to the use of order wire data:

(1) order wire data that controls a source of video playback of a program;

. . .

(3) the order wire data is received by a satellite receiver in a docking area;

(4) a server located in the docking area and configured to store the order wire data;

(5) a server located in the docking area and configured to store video data received by the satellite receiver in the docking area in response to the order wire data;

(6) a wireless platform transceiver on a mobile platform receiving the order wire data from a wireless docking area transceiver while the mobile platform is at the docking area; and

(7) a storage unit located on the mobile platform that stores the order wire data.

(App. Br. 11).

2. Appellant contends that the Examiner erred in rejecting independent claim 12 under 35 U.S.C. § 103(a) as being unpatentable over the combination of Leuca and Podowski because “Leuca and Podowski, alone or in any proper combination, fail to disclose at least five features recited in Claim 12 and related to the use of order wire data.” (App. Br. 18).

3. Appellant contends that the Examiner erred in rejecting independent claim 17 under 35 U.S.C. § 103(a) as being unpatentable over

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the combination of Leuca and Podowski because “Leuca and Podowski, alone or in proper combination, fail to disclose, teach or suggest at least six features recited in Claim 17 related to the use of order wire data.” (App. Br. 22).

Issue on Appeal

Whether the Examiner has erred in rejecting claims 1-30 as being obvious based on Leuca and Podowski?

ANALYSIS

Appellant presents numerous arguments as to why the Examiner has erred. (App. Br. 7-29). We agree with the Appellant’s above specifically cited contentions. Therefore, Appellant has established that the Examiner erred with respect to the rejection of claims 1-30 under § 103(a).

CONCLUSIONS

- (1) The Examiner erred in rejecting claims 1-30 as being unpatentable under 35 U.S.C. § 103(a).
- (2) On this record, claims 1-30 have not been shown to be unpatentable.

DECISION

The Examiner’s rejection of claims 1-30 is reversed.

REVERSED

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